

1 Shores Community Association, but I'm speaking for myself,
2 as a private citizen.

3 For the past few weeks I've been reading one
4 headline after another about the benefits of an LNG facility
5 off the coast. One headline read, "LNG Facility Poses Very
6 Little Threat of an Accident."

7 Another read, "Environmental Report Confirms That
8 There's Little Possibility of Any Devastating Circumstances
9 or Consequences."

10 BHP Billiton passes out literature saying that the
11 facility will be a boon to the economy, the economy of the
12 region, and with relative little chance of a danger from an
13 accident or a spill.

14 That may be well and good, but very little chance
15 of danger is not good enough for me, or those of us who have
16 to live with this potential time bomb next to our shore.

17 Nowhere have I read that it will be absolutely
18 safe and that an accident is impossible.

19 What good does a boon to the economy of the region
20 matter, when the worst scenario happens and there's no
21 region left to enjoy?

22 The attack on the World Trade Center was as remote
23 a possibility as any the proponent presents here, and yet it
24 happened.

25 Even if I don't live long enough to see a spill, a

T005-19.1

Section 4.2 and the Independent Risk Assessment (Appendix C)
describe the potential public safety risks and the regulations,
guidelines, and mitigation measures designed to prevent accidents.

T005-19.1

1 tanker mishap, an act of sabotage, a terrorist attack, or
2 just a garden variety Chernoble or Three-Mile Island type
3 accident, I don't want to worry that my children and my
4 grandchildren will be exposed to that possibility, for they
5 will be living in my house after I'm gone, because it is one
6 of the best places in the world to live, and I want to keep
7 it that way.

8 When the officials of BHP, who insist that the
9 facility poses no danger, purchase a home here and make a
10 commitment to live here for at least 20 years, then their
11 opinions may take on a sense of credibility. But I don't
12 see any of them eager to do so. When they are willing to be
13 my neighbor, I might believe them.

14 Until then, relatively safe is not good enough,
15 and it shouldn't be good enough for the Governor, who
16 doesn't live here, the President, who doesn't live here, or
17 any of you making the decisions, no matter where you live.

18 I urge you to deny the application. Thank you.

19 (Applause.)

20 MODERATOR MICHAELSON: The next set of speakers
21 will be Tim Riley, Michael Fullilove, Pamela S. Meidell,
22 James Gay, and it appears to be -- there's two names here,
23 but it appears to be Deborah Meyer-Morris and Bert Perello.
24 If you'd come and take seats here, in reserved seating.

25 Mr. Riley.

T005-19.2

T005-19.2

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

T005-19.3

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-19.3

1 MR. RILEY: Before you get the talk ticking, can I
2 make a procedural point of order request?

COMMENTER
T005-20

3 MODERATOR MICHAELSON: Uh-huh.

4 MR. RILEY: I'm speaking as an individual, and we
5 checked off those cards, and some of us said individual, and
6 some probably put organizations, and I think it's important
7 that the listeners and the record reflect how people are
8 speaking.

9 For example, Dr. Koopman, I've seen his remarks
10 online, similar to what he said tonight, just trying to
11 discredit the '77 EIR. And I believe at the bottom of his
12 PBF he says he's the safety consultant for BHP.

13 And I think if people are going to be speaking, we
14 should know from those cards if they're here on behalf of
15 themselves, as individuals, or if, perhaps, they're an
16 employee or a consultant for one of the interested parties.

17 (Applause.)

18 MR. RILEY: I would like to say good evening to
19 the gentleman from Australia, and tell him that we love
20 Australians. Thank you for being with us in the foxholes,
21 and I would welcome you at my dinner table, but I do not
22 welcome you in my backyard with ultra-hazardous LNG.

23 (Applause.)

24 MODERATOR MICHAELSON: Thank you, Mr. Riley.

25 MR. RILEY: My first --

1 MODERATOR MICHAELSON: Mr. Riley, can I just
2 interrupt right here. Could we please let him get through
3 his comments without interruption, or we will be here for a
4 very long time.

5 My concern is for the people who are number 120
6 and 124, and on in there. If we go -- the longer we go, the
7 less likely those people will have any chance to speak,
8 because it will just be too late for them.

9 We're prepared to stay here for as long as it
10 takes, but if we could keep this moving, I'd appreciate it.

11 Thank you.

12 MR. RILEY: We're here to determine the
13 application for an ultra-hazardous activity, which is an
14 untried, untested, unproven facility, and the applicant has
15 admitted, in its application, quote, "BHP Billiton LNG
16 International, Inc. is a new entity, with no operating
17 history." They never existed before March 12th, 2003.

18 So we have an untried, unproven project, with an
19 untried, untested, unproven applicant, and that's a recipe
20 for disaster.

21 Now, you have two threshold issues that you have
22 to deal with, and one is, is there an actual need for this
23 port. And number two, is it in the national interest that
24 we have this port. Those are your preliminary discussions.
25 You do not have that complete enough in this EIS.

T005-20.1

Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies regulations that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. Impact EJ-1 in Section 4.19.4 addresses additional pipeline design requirements in areas of low-income and minority communities. The EIS/EIR's analyses have been developed with consideration of these factors and regulations and in full conformance with the requirements of NEPA and the CEQA.

T005-20.2

Sections 1.2.2 and 1.2.3 contain updated information on natural gas needs in the U.S. and California. Forecast information has been obtained from the U.S. Department of Energy's Energy Information Agency and from the California Energy Commission.

T005-20.1

T005-20.3

Section 1.2 discusses dependence on foreign energy sources.

T005-20.2

T005-20.3

T005-20.3
(cont'd)

1 Number one, you have accepted, hook, like, and
2 sinker, the energy spin that we have some sort of energy
3 crisis. Well, we heard all that in the newspapers a while
4 back, and we realized that was an energy-generated
5 manipulation of the market, some are being penalized,
6 imprisoned, et cetera.

7 Is this maybe another manipulation of the market?
8 You have to explore this, that's your threshold issue.

9 Now, is it in our national interest to export?
10 According to the Prime Minister of Australia, he said the
11 project's worth about 15 billion dollars to Australia. Is
12 it in our national interest to export 15 billion dollars to
13 Australia? Or is it more in our interest to come up with
14 American jobs, with American knowhow, and develop renewable
15 American resources?

16 For example, four LNG facilities that exist in the
17 United States produced one percent of the nation's energy
18 last year. The wind power also produced one percent of the
19 nation's energy.

20 Now, I'm not an advocate of wind power. I'm an
21 advocate of you sitting down and saying is LNG America's
22 future, or should we be developing American resources, and
23 putting Americans to work, and not relying more on foreign
24 fossil fuel. It's not in our national interest to become
25 more vulnerable to countries' market manipulation.

1 As the Australian gentleman mentioned, they're the
2 only Western person that's going to be providing LNG, so
3 we're going to be set up for more manipulation, and I think
4 that is not in our national interest.

5 Thank you.

6 (Applause.)

7 MODERATOR MICHAELSON: Our next speaker is
8 Michael Fullilove.

9 MR. FULLILOVE: Good evening, thank you for
10 letting me comment. My name is Michael Fullilove. I've
11 been a licensed captain with the Maritime industry for 37
12 years. The last 15 years I've been working offshore of the
13 Central Coast of California, and in and out of Port Hueneme.

14 I've been a resident of Ventura for 24 years,
15 raising five children, who current reside in Ventura County
16 with their families.

17 I recognize the need for a stable, reliable energy
18 source to help stabilize prices and to reduce the risk of
19 price spikes from harming our economy.

20 We need more imported natural gas to support our
21 population growth and maintain our standard of living.
22 Cabrillo Port could supply 15 to 18 percent of the needed
23 natural gas imports, with minimal impact on the coastline,
24 sea, and air.

25 At the same time Cabrillo Port will provide

T005-20.4

T005-20.4

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-21

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

COMMENTER
T005-21

1 millions of dollars to the local economy.

2 From a Maritime view, the project planners have
3 put the Maritime trade and safety first by locating Cabrillo
4 Port well outside the shipping lanes.

5 The support vessels will be of sufficient size and
6 horsepower to deal with any emergency pertaining to the LNG
7 terminal and to the merchant traffic veering out of the
8 shipping lanes.

9 In addition, the LNG terminal will create another
10 source of vessel traffic management by using manned radar
11 stations and constant radio communications with passing
12 vessels. All vessels will be inspected regularly and will
13 be using local pilots, with years of experience in the local
14 area.

15 All vessels will be escorted to and from the LNG
16 terminal and support vessels will be standing by at all
17 times.

18 With the excellent safety record of handling LNG
19 in the Maritime industry, I strongly support the Cabrillo
20 project to help meet our rising energy needs.

21 Thank you.

22 MODERATOR MICHAELSON: The next speaker is
23 Pamela Meidell.

COMMENTER
T005-22

24 MS. MEIDELL: Good evening. Thank you for having
25 this hearing this evening. My name is Pamela Meidell, I'm a

1 local resident, in Oxnard. And I'm here, tonight, speaking
2 on behalf of the Coastal Alliance, United for a Sustainable
3 Economy, a local nonprofit think tank and community planning
4 and policy research center, serving California's Central
5 Coast. Our mission is to improve the standard of living and
6 quality of life of low- and moderate-income working people.

7 If I have time for some personal comments, I'll
8 add them.

9 But our organization has taken a position with
10 regard to this report, in the last week, and I'd like to
11 review that and enter it into the record.

12 "Upon review of the draft LNG
13 Environmental Impact Statement, we note
14 the following three, serious
15 environmental justice issues.

16 "One, a disproportionate impact to
17 the minority community. In the
18 Environmental Justice section of the
19 EIS/EIR, Table 4.19-2" --
20 Which I attach and will leave with you.
21 -- "which is a summary of Hispanic or
22 Latino population along the Center Road
23 pipeline alternatives, it documents the
24 following population differences,
25 demonstrating a disproportionate impact

T005-22.1

Sections 4.19.1 and 4.19.4 contain information on potential Project impacts on minority and low-income communities and mitigation measures to address such impacts.

T005-22.1

1 to Latinos. In the State of California
2 the population is 32 percent, for
3 example, as against the Center Road
4 pipeline, where it is 58 percent. In
5 Ventura County, the Latino population is
6 33 percent, and the City of Oxnard 66
7 percent.

8 "Number two, a disproportionate
9 impact to the low income community.
10 When compared with Ventura County, the
11 area that will be directly impacted and
12 at risk is also an area with a higher
13 concentration of below poverty, and the
14 table is also attached. The proposed
15 route has 12 percent below poverty
16 level, and the rest of Ventura County is
17 9 percent below poverty level.

18 "The third item is exposure to
19 personal injury and fatality, and loss
20 of property for two specific, very low
21 income and immigrant residential mobile
22 home parks."

23 The executive summary states the potential
24 impact of those two areas, and you will see that
25 in the written statement

T005-22.1
(cont'd)

T005-22.2

Sections 4.19.1 and 4.19.4 contain information on potential Project impacts on low-income communities and mitigation measures to address such impacts.

T005-22.3

Section 4.19.4 has been updated and Impact EJ-1 discusses the public safety mitigation measures for residents of the mobile home parks along the proposed pipeline route.

T005-22.2

T005-22.3

1 "But with respect to this risk, the
2 recommendation is limited to informing
3 these residents about the high risk and
4 conducting a public education campaign.
5 The CAUSE staff has worked with the
6 children and families living in these
7 mobile home parks, which house
8 immigrants and farm workers, in what has
9 been called third world conditions.

10 "Merely informing residents of the
11 high risk does nothing to mitigate the
12 causes of the risk, protect them from an
13 actual accident, or help them if the
14 pipeline ruptures, gas is released, or
15 fire breaks out and spreads through the
16 neighborhood.

17 "Given the above concerns and
18 discrepancies, the Board of the Central
19 Coast Alliance United for a Sustainable
20 Economy, opposes the proposed LNG
21 projects on environmental justice
22 grounds."

23 Personally, I find this not a comprehensive
24 approach to our energy needs and I urge you to invoke the
25 precautionary principle on which the burden of proof is with

T005-22.3

T005-22.4

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-22.5

Section 4.1.3 contains information on the significance criteria used in preparation of the EIS/EIR.

T005-22.4

T005-22.5

63

1 the applicant, rather than the public, to express no harm.

T005-22.5
(cont'd)

2 MODERATOR MICHAELSON: Thank you. Thank you very
3 much.

4 MS. MEIDELL: Thank you.

5 (Applause.)

6 MODERATOR MICHAELSON: The next speaker is

7 James Gay.

COMMENTER
T005-23

8 MR. GAY: My name is James Gay. I live in Oxnard,
9 Hollywood Beach. I'm a Sierra Club member and I try to be a
10 conservationist.

11 The question of whether we need an LNG terminal
12 depends on whether we need the gas, whether it's safe, and
13 what will be the effect on the environment. We've heard a
14 lot about that.

T005-23.1

15 There are many experts that point to the need for
16 extra gas supplies, so I won't go into that anymore. These
17 include the Chairman of the Federal Reserve Bank, Senator
18 Pete Domenici, the Chairman of the Senate Subcommittee on
19 Energy, et cetera.

20 Also, the California Energy Commission says that
21 supplies are not as plentiful as expected earlier, thus,
22 they expect gas prices to rise faster than inflation.

23 And finally, the real thing is, if the need wasn't
24 there, who, in their right mind, would spend 500 million
25 dollars to meet the need that didn't exist? There's got to

T005-23.1
Thank you for the information.

1 be a market.

2 Safety. The Sierra Club mailing that we all
3 received, recently, states "an explosion on an LNG tanker
4 could have the force of a small nuclear weapon."

5 This is flat out fear mongering. The best
6 information that I could get from all the websites, that I
7 found on Google, says that a worst case explosion might
8 cause a fireball a half- to one-mile in diameter. For
9 onshore terminals, a one-mile buffer zone is recommended.

10 The two explosions that have occurred, Cleveland
11 in 1944, and Algiers in 2002, did not damage property or
12 injure people more than two miles away. Thus, I don't see
13 safety as a problem.

14 As to the environment, natural gas is the cleanest
15 and best possible fuel available. Contrary to what the
16 Sierra Club states, natural gas is not the culprit leading
17 to global warming and increased air pollution.

18 The real culprit is our increased use of all
19 fossil fuels, gasoline, diesel fuel, et cetera. The primary
20 driving force is increased population.

21 We should use renewable sources. Get a solar
22 panel on every rooftop in Southern California. Get out
23 there and get your representatives in the Legislature to
24 push this with money. A little subsidy won't do the job.

25 In the meantime, not being optimistic about solar

T005-23.2

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-23.1
(cont'd)

T005-23.2

1 panels on every rooftop, I believe that we should encourage
2 plans for an offshore LNG terminal.

3 Thank you.

4 MODERATOR MICHAELSON: Thank you, Mr. Gay.

5 Let me read ahead the next several speakers to
6 come up to the reserved seating in the front. Following
7 Deborah Meyer-Morris will be Bert Perello, followed by Ellen
8 Bougher-Harvey, David Harvey, Zachary Harvey, and Norman
9 Eagle.

10 MS. MEYER-MORRIS: Good evening. My name is
11 Deborah Meyer-Morris. I'm an attorney in the City of
12 Oxnard. I'm also Vice President of the Emilie Ritchen PTA
13 and elementary school, located approximately 20 houses from
14 the midline of Gonzales Road, where the pipeline will
15 eventually be built.

16 I'd like to speak on behalf of the children in the
17 City of Oxnard. Our school has 920 students. Also, along
18 Gonzales Road there's two high schools and numerous other
19 elementary schools which will be severely impacted by the
20 construction of this project, this is a dangerous project,
21 also continuing along to St. John's Hospital, the only major
22 trauma center in the City of Oxnard, serving 200,000 people.

23 I feel that the environmental impact report does
24 not address the potential injury to these children, nor does
25 it address the fact that our only hospital is located along

T005-23.2
(cont'd)

COMMENTER
T005-24

T005-24.1

T005-24.1

The Santa Barbara Channel/Mandalay Shore Crossing/Gonzales Road Pipeline Alternative is evaluated as an alternative in the EIS/EIR; it is not the proposed Project as described in Section 2.4. Section 4.13.1 discusses sensitive land uses, such as schools, in proximity to proposed and alternative pipeline routes. Figure 4.13-2 shows sensitive land uses near the proposed Center Road pipeline and its alternatives, including the Santa Barbara Channel/Mandalay Shore Crossing/Gonzales Road Pipeline Alternative. There are no schools in the immediate vicinity of the proposed Center Road Pipeline route. Section 4.2.8 describes regulations regarding pipelines, including the requirement to establish public education programs to prevent and respond to pipeline emergencies. Section 4.16.1.2 describes emergency planning and response capabilities in the Project area.

1 this, and in the event of an emergency or catastrophic
2 event, there will be no place for these injured people to be
3 taken.

T005-24.1
(cont'd)

T005-24.2

Sections 4.19.1 and 4.19.4 contain information on potential Project impacts on minority and low-income communities and mitigation measures to address such impacts.

4 The report also addresses what they call
5 environmental justice. I think this is actually
6 environmental injustice because of the fact that it's a
7 disproportionate impact on Hispanic people. Notice that
8 there are very few Hispanic people here, tonight. Clearly,
9 these people, 66 percent of our City, have not understood
10 the need or the impact that this development is going to
11 have on them because they're not here.

T005-24.2

T005-24.3

Section 1.5 contains information on public review and comment opportunities, including those for Spanish speaking residents of the Project area. In addition, all versions of the EIS/EIR have been translated into Spanish.

12 Almost every person in this room, well, I haven't
13 looked lately, the last time I looked, it looked pretty
14 Caucasian. We need to get the word out to these people,
15 that are not represented here, tonight, and tell them that
16 their rights are being impacted. They do not understand the
17 impact on them.

T005-24.3

18 Also, one last thing I'd like to address is the
19 fact this report really glosses over the effect on property
20 value. Personally, my home is eight houses away from the
21 midline of Gonzales Road.

T005-24.4

22 The Environmental Impact Report claims that this
23 will have no disproportionate impact on my property value.
24 I beg to differ. I will have to disclose this. If the fact
25 that there's a high school down the road was disclosed to me

T005-24.4

Section 4.16.1.2 contains updated information on property values.

1 when I purchased, you bet darn sure I'm going to be
2 disclosing the existence of a pipeline running eight houses
3 from my home.

T005-24.4
(cont'd)

T005-24.5

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

4 I urge you, on behalf of the children and the
5 unrepresented numbers of Latino people not present here
6 tonight, to please reconsider your Environmental Impact
7 Report and the negative impact it will have on our City.

T005-24.5

T005-25.1

Section 4.2.5 contains information on liability in case of an accident and reimbursement for local agencies. Sections 4.2.7.3 and 4.3.1.5 contain information on the use of American crews and U.S.-flagged vessels.

8 Thank you.

9 (Applause.)

10 MODERATOR MICHAELSON: Okay, the next speaker is
11 Bert Perello.

COMMENTER
T005-25

12 MR. PERELLO: Thank you for the opportunity to
13 speak. I would like to address a few questions, a few of my
14 concerns with this project. One of the big ones, that
15 several people in the past have been mentioned, are jobs.
16 They're talking about union jobs, they're talking about jobs
17 on ship, they're talking about good-paying jobs.

T005-25.1

18 The jobs that are being addressed by the voters of
19 this project are jobs that are people -- from people working
20 on ships, paying American wages to American seamen.

21 If history is to be followed, what will happen
22 very shortly will be there will be outsourcing of these
23 jobs. They'll go to maximize the profits, and bring in
24 third world crews, third world flag ships, contrary to what
25 you're being told tonight.

1 With respect to the risks that the individuals on
2 those ships, the current American seamen that are speaking
3 in support this are taking, who's going to pay for the risks
4 that the residents in Oxnard are going to take, having this
5 facility near them.

6 With regard to jobs, again, the issue of the
7 bases. There's been constant discussion, locally, with
8 respect to how many jobs are at the bases and could these be
9 jobs that could possibly be affected?

10 One of the Legislators that spoke, this evening,
11 used that as a major campaign speech. He stated, 18,000
12 related jobs could be at risk if this facility goes in.

13 My concerns are, if there is an earthquake and
14 with the soil liquification of the City of Oxnard, the size
15 of the pipeline, the constant movement of the pipeline, from
16 when it is first presented to the public, in the close
17 proximity to schools and residential, and it's simply a
18 matter of moving a line and a pencil on a piece of paper.

19 When a line is easily moved on a piece of paper to
20 avoid school districts and avoids people's concerns, I hope
21 you'll consider that as to how serious this project is.
22 Will they move it again to satisfy whatever they need, and
23 when it's a done deal they do what they want?

24 With regard to environmental justice, I live in
25 the City of Oxnard. I'm a minority in the City of Oxnard.

T005-25.1
(cont'd)

T005-25.2

The Department of Defense, including the Navy at Point Mugu, has been consulted about this Project. Their input has been integrated into the EIS/EIR.

T005-25.3

Section 4.11 contains information on seismic and geologic hazards. Section 4.11.1.6 and Impact GEO-5 in Section 4.11.4 contain additional information on liquefaction and design measures that would be implemented to avoid damage to a pipeline from liquefaction. Only natural gas would be transported in the offshore and onshore pipelines.

T005-25.4

Section 1.5 contains information on public review and comment opportunities, including those for Spanish speaking residents of the Project area. In addition, all versions of the EIS/EIR have been translated into Spanish.

T005-25.3

T005-25.4

1 The majority of the City of Oxnard is Hispanic. The
2 previous speaker made some good points.

T005-25.4
(cont'd)

3 Previous speakers have asked that another 60-day
4 extension period be granted. I wish that you would do that.

T005-25.5

5 I did find it interesting that some of the
6 comments at the very beginning were not done in Spanish. I
7 appreciate the lady that did do these comments in Spanish.

8 With regard to an accident, if anything goes
9 wrong, does it address who's going to be carrying the
10 insurance to cover the injuries or the damage that is done
11 to this community, if something does go wrong.

T005-25.6

12 My feeling on the project, with respect to the
13 proposal, it's an experimental project, and an experimental
14 project that's using models. As a kid who built a few
15 models, and not very well all the time, things happen and
16 they don't always work. I would not like to be a member of
17 a city that finds out that an experimental project, based on
18 a model, somebody made a mistake.

T005-25.7

19 Thank you.

20 (Applause.)

21 MODERATOR MICHAELSON: The next speaker is Ellen
22 Bougher-Harvey.

COMMENTER
T005-26

23 MS. BOUGHER-HARVEY: Hi, I'd like to thank you for
24 letting me speak. And I just -- I have a few concerns, I'll
25 try to be brief.

T005-25.5

All deepwater port applications fall under the authority of the Deepwater Port Act, which requires that a decision on the application be made within 330 days of the publication of the Notice of Application in the Federal Register. The Notice of Application for the Cabrillo Port Project was published in the Federal Register on January 27, 2004. Although the comment period (53 days) could not be extended at that time, a March 2006 Revised Draft EIR was recirculated under the CEQA for an additional public review period of 60 days. Section 1.4.1 contains additional information on this topic.

Section 1.5 contains information on opportunities for public comment. After the MARAD final license hearing, the public will have 45 days to comment on the Final EIS/EIR and the license application. The Federal and State agencies will have an additional 45 days to provide comments to the MARAD Administrator. The Administrator must issue the Record of Decision within 90 days after the final license hearing. The CSLC will hold a hearing to certify the EIR and make the decision whether to grant a lease. The California Coastal Commission will also hold a hearing. Comments received will be evaluated before any final decision is made regarding the proposed Project.

T005-25.6

Section 4.2.5 contains information on liability in case of an accident and reimbursement for local agencies.

T005-25.7

Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies regulations that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. Impact EJ-1 in Section 4.19.4 addresses additional pipeline design requirements in areas of low-income and minority communities. The EIS/EIR's

analyses have been developed with consideration of these factors and regulations and in full conformance with the requirements of NEPA and the CEQA.

1 I've been getting a lot of brochures in the mail.
 2 I live in Oxnard Shores Mobile Home Park. And it's kind of
 3 scary because there's a lot of money spent here and, quite
 4 frankly, I don't believe it all.

5 There's been a lot of money, donations, I read in
 6 the News Press and the Star, given to our local
 7 organizations, and I feel like we're trying to be bought.
 8 And as a Native Californian, I don't want to have our
 9 community bought.

10 I've been teaching for 25 years in the area, and I
 11 need to be in this area to raise my son here and, frankly,
 12 I'm just scared to have an LNG plant in my backyard. I feel
 13 there's a lot of other alternatives. I feel that your
 14 report needs to look into those alternatives and all the
 15 other factors.

16 Also, I was very devastated with the outcome of
 17 the last election, so that has me even more concerned with
 18 the environment. And I'm concerned about transporting cargo
 19 from Australia, and terrorist attacks, and how our nation's
 20 looked at right now, and that we might have more
 21 implications of safety issues than we did 20 years ago, or
 22 even five.

23 So with the threat to the environment, with the
 24 lack of looking at the pipeline in all these areas for
 25 school children, and schools, and hospitals, I think this is

T005-26.1

Section 3.3.7 contains information on the specific California locations considered in the alternatives analysis. The deepwater port would be 12.01 nautical miles (13.83 miles) offshore, as shown on Figure ES-1.

T005-26.2

Sections 1.2.5 and 1.3 address the importation of natural gas from Australia. Section 1.3 also addresses jurisdiction over LNG carriers crossing the Pacific Ocean.

T005-26.3

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

T005-26.4

Section 4.13.1 contains information on sensitive land uses in proximity to proposed and alternative pipeline routes, such as schools. There are no schools in the immediate vicinity of either of the proposed pipeline routes. Section 4.2.8 describes regulations regarding pipelines, including the requirement to establish public education programs to prevent and respond to pipeline emergencies. Section 4.2.8.4 contains information on the estimated risk of Project pipeline incidents. Section 4.16.1.2 describes emergency planning and response capabilities in the Project area.

The proposed pipelines within Oxnard city limits would meet standards that are more stringent than those of existing pipelines because they would meet the minimum design criteria for a U.S. Department of Transportation (USDOT) Class 3 location. Also, MM PS-4c includes the installation of additional mainline valves equipped with either remote valve controls or automatic line break controls. SoCalGas operates high-pressure natural gas pipelines throughout Southern California.

T005-26.1

T005-26.2

T005-26.3

T005-26.4

71

1 a dangerous project to say yes to right now, and please look
2 into some alternatives.

T005-26.5

3 Thank you.

T005-26.6

4 (Applause.)

5 MODERATOR MICHAELSON: The next speaker is David
6 Harvey.

COMMENTER
T005-27

7 MR. DAVID HARVEY: Hi, I'm Dave Harvey, I'm yet
8 another resident of Oxnard, here, that's adamantly opposed
9 to this LNG terminal off our shores.

10 I find it hard to believe that any member of any
11 State or government agency would want to put me and my
12 family at risk, with concerns of -- the possibilities are
13 endless. You know, terrorists, there's earthquake threats,
14 there's just -- the list could go on.

T005-27.1

15 And I could only hope that you would be in
16 opposition as members of these State entities.

17 Thank you.

18 MODERATOR MICHAELSON: Thank you.

19 (Applause.)

20 MODERATOR MICHAELSON: The next speaker is Zachary
21 Harvey. Be sure and pull that mike down, okay? There you
22 go, thanks.

COMMENTER
T005-28

23 MR. ZACHARY HARVEY: Hi, I'm Zach Harvey, and I'm
24 just a kid, but I pretty much know what's happening in
25 California. The LNG is going to build a plant pretty much a

T005-26.5

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-26.6

Chapter 3 contains information on Project alternatives.

T005-27.1

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the potential threat of a terrorist attack.

Section 4.11 contains additional and revised information on seismic and geologic hazards.

72

1 few miles out from the shore, and they're going to have
 2 pipelines going under my school and a few others, and if
 3 terrorists attack, it's pretty much over.

4 And I hope we don't build this plant because it's
 5 also a threat to the environment and many other things.

6 And I think we shouldn't build it, also, because
 7 it's not just schools I'm worried about, it's other things
 8 like the environment, and we can pretty much lose our homes
 9 if it also blows up.

10 So I hope we don't build it because terrorists
 11 could attack. And maybe Australia can build it somewhere
 12 over there. And so I think that's it.

13 (Laughter.)

14 (Applause.)

15 MODERATOR MICHAELSON: Thank you, Mr. Harvey.

16 The next several speakers in line are Norman
 17 Eagle, Joan Dawson, Robert Rail, Ed Ellis, and Marie Ellis.

18 MR. EAGLE: Norman Eagle, I'm a resident of
 19 Oxnard.

20 There's been absolutely no previous experience
 21 anywhere in the world with the new technology offshore
 22 processing of LNG and seabed transmission under extremely
 23 high pressure.

24 The EIR maintains that the risk level is low for a
 25 major accident, but the lack of experience with this new

T005-28.1

T005-28.2

T005-28.3

T005-28.4

T005-28.5

T005-28.6

COMMENTS
 T005-29

T005-29.1

T005-28.1

The deepwater port would be 12.01 nautical miles (13.83 miles)
 offshore from populated areas, as shown on Figure ES-1.

T005-28.2

Section 4.13.1 contains information on sensitive land uses in
 proximity to proposed and alternative pipeline routes, such as
 schools. There are no schools in the immediate vicinity of either of
 the proposed pipeline routes. Section 4.2.8 describes regulations
 regarding pipelines, including the requirement to establish public
 education programs to prevent and respond to pipeline
 emergencies. Section 4.2.8.4 contains information on the estimated
 risk of Project pipeline incidents. Section 4.16.1.2 describes
 emergency planning and response capabilities in the Project area.

The proposed pipelines within Oxnard city limits would meet
 standards that are more stringent than those of existing pipelines
 because they would meet the minimum design criteria for a U.S.
 Department of Transportation (USDOT) Class 3 location. Also, MM
 PS-4c includes the installation of additional mainline valves
 equipped with either remote valve controls or automatic line break
 controls. SoCalGas operates high-pressure natural gas pipelines
 throughout Southern California.

T005-28.3

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on
 the threat of terrorist attacks.

T005-28.4

Your statement is included in the public record and will be taken
 into account by decision-makers when they consider the proposed
 Project.

T005-28.5

Section 4.2.7.6 and the Independent Risk Assessment (Appendix
 C1) contain information on public safety impacts from various
 incidents at the FSRU. The analysis indicates that the maximum

impact distance of an accident would involve a vapor cloud dispersion extending 6.3 nautical miles (7.3 miles) from the FSRU. The FSRU would be located approximately 12.01 nautical miles (13.83 miles) offshore; therefore, consequences of an accident involving LNG transport by carrier and storage on the FSRU would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline. Figure ES-1 depicts the consequence distances surrounding the FSRU location for worst credible events.

T005-28.6

See the response to Comment T005-28.3.

T005-29.1

Sections 2.1 and 4.2.7.3 contain information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU and LNG carriers.

1 system belies any reliable computation of risk.

2 The world has been given such safety assurances
3 before. The shipbuilders of the "Unsinkable Titanic" were
4 as sure of the safety of their product as the BHP engineers
5 are of theirs, but there was an accident.

6 Highly sophisticated German engineers were
7 supremely confident of the safety of the Hindenburg, but
8 there was an accident.

9 American nuclear engineers at Three-Mile Island
10 were so confident of their work that they placed a nuclear
11 plant close to the Capitol of their state, and there was an
12 accident.

13 Russian engineers at Chernoble assured their
14 government not to worry about the operation of their nuclear
15 plant. There was an accident and an entire Ukrainian
16 province had to be evacuated after thousands of people died
17 or were maimed for life.

18 The Dow Chemical Corporation's CEO was so
19 confident of the safety of his plant, in Bhopal, India, that
20 he placed his job and the interest of hundreds of thousands
21 of investors on the line by signing off on that project.
22 There was an accident and tens of thousands of people died
23 there.

24 Then there are the more recent cases of low-risk
25 estimates very close to home. Engineers studied, tested,

1 and computer-modeled the infamous O-ring, and were assured
2 of its safety. But there was an accident and five of our
3 brave astronauts died. Heat shield tiles were not supposed
4 to come off the space shuttle, but there was an accident.

5 While accidents cannot be specifically predicted,
6 they will almost certainly happen.

7 So why route a highly inflammable gas almost
8 directly beneath a 40-unit mobile home community, where
9 there are six high voltage power lines overhead. I don't
10 know whether you realize that. We traced this path the
11 other day.

12 Just 30 seconds, please.

13 MODERATOR MICHAELSON: One minute.

14 MR. EAGLE: I have one minute? Good.

15 The EIR report, itself, says that there could be a
16 significant safety impact in the case of an accident near
17 this community, and is it merely by chance that the
18 community made most vulnerable by this proposed gasoline
19 happens to be exclusively inhabited by Mexican American
20 working people.

21 These are only some of the unanswered questions
22 which undermine confidence in the claims that this is a low-
23 risk project.

24 With such planning and research lapses, one
25 wonders about other serious problems which may be clearly

T005-29.2

T005-29.2

Sections 4.2.4, 4.2.7.3 and 4.2.8.2 identify agencies with the authority and responsibility for safety standards, design reviews, and compliance inspections. Section 2.1 and Appendix C3-2 identify applicable safety standards. The Independent Risk Assessment (IRA) in Appendix C1 contains information on this topic. The failure rate data used are provided in Appendix B of the IRA.

T005-29.3

T005-29.3

The impact analysis in Sections 4.2.7.6 and 4.2.8.4 acknowledges that accidents can, and do, happen. Impacts PS-1 and PS-2 address potential incidents at the FSRU or LNG carrier, and PS-3, PS-4 and PS-5 address potential releases from the onshore or offshore pipelines. Sections 4.19.11 and 4.19.4 contain information on potential project impacts on minority and low-income communities and mitigation measures to address such impacts.

T005-29.4

T005-29.4

Sections 4.19.1 and 4.19.4 contain information on potential Project impacts on minority and low-income communities and mitigation measures to address such impacts.

1 evident, and which may not be clearly evident, in the EIR.
2 The location of this proposed project carries far too great
3 a risk to a densely populated area, and the proposal makes
4 no provision at all for the development of safe and clean
5 alternative energy sources which are absolutely required
6 now, and in the future.

T005-29.5

7 MODERATOR MICHAELSON: Thank you, Mr. Eagle.
8 (Applause.)

T005-29.6

9 MODERATOR MICHAELSON: I know I've made this
10 request once, I'm going to try it just one more time. We
11 have enough speakers to go, at this rate, for about another
12 four and a half hours. So in the interest of, again, people
13 being able to make their comments, and not because it gets
14 so late they need to leave, I'd ask that we be able to go
15 from one commentor to the next.

16 The next speaker is Joan Dawson.

COMMENTER
T005-30

17 MS. DAWSON: I'm Joan Dawson, from Port Hueneme.
18 I wanted to comment on the report as far as property values.
19 In paragraph 4.16.1.7 it says:

20 "During scoping for this EIS/EIR,
21 comments were received requesting more
22 information about how the project would
23 affect property values. The offshore
24 facilities would be too far away to be
25 considered a factor in property values.

T005-30.1

T005-29.5

Section 3.3.7 contains information on the specific California locations considered in the alternatives analysis. The deepwater port would be 12.01 nautical miles (13.83 miles) offshore, as shown on Figure ES-1.

T005-29.6

Sections 1.2.2, 1.2.3, 1.2.4, 3.3.1, 3.3.2, and 4.10.1.3 contain information on the need for natural gas, the role and status of energy conservation and renewable energy sources, and the California Energy Action Plan.

Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

T005-30.1

Section 4.16.1.2 contains updated information on property values.

T005-30.1
(cont'd)

"The presence of a pipeline could affect a person's decision to buy a property and, therefore, it could be considered a subjective factor in property valuation. However, the many subjective factors that are taken into account by potential buyers differ to a degree that is not possible to assess in this document."

We're not talking about the ugly house next door here. This is an extremely serious project that's being proposed, and I think BHP Billiton is giving us all the positive and glossy aspects of the project, and what we need this report to do is to be the Devil's Advocate and look at things like perceived dangers, potential threats, the impact of any accidents.

We don't even really need an accident. If it's just perceived, it could be bad enough to make our property values go down.

So I think what we really need is a broader analysis, in the final report, that takes into consideration this proposed LNG facility, and the impact it will have on the personal, as well as business properties in the area.

(Applause.)

MODERATOR MICHAELSON: The next speaker is

1 Robert Rail.

2 MR. RAIL: Rail, R-a-i-l?

COMMENTER
T005-31

3 MODERATOR MICHAELSON: R-a-i-l, yes, Robert Rail.

4 MR. RAIL: Well, again, my name is Robert Rail. I
5 live in Ojai, I've lived and worked in Ventura County the
6 last 40 years.

7 I do want to, despite the redundancy, say that I
8 do concur with Lois Capps, our U.S. Representative in
9 Congress's, comments.

10 I also concur with Jane McCormick-Tolmach's
11 comments today, she's a long-time leader in public affairs,
12 mostly as an elected official, and otherwise.

13 I also would like to support the point that has
14 been brought up about liability. It should be stated, and I
15 think explicitly, in the EIR.

T005-31.1

16 We have something that's in international waters.
17 If something goes wrong and hurts Oxnard, who's responsible?
18 Who's liable in case there's property damage, in case there
19 is possibly injury or death?

20 And so is a public agency, is the Coast Guard, is
21 the Maritime Administration, the Coastal Lands Commission
22 have any of the liability?

23 Does the owner have liability? After all, they're
24 not in California waters. And explain just what it is and
25 who owns.

T005-31.1

Section 4.2.5 contains information on liability in case of an accident and reimbursement for local agencies.

1 And as one point was brought up this morning,
2 would it be appropriate for the owners to post a bond to the
3 City of Oxnard? If they're so sure they're safe, they're
4 not going to lose anything. I mean, the owners wouldn't.

T005-31.1
(cont'd)

T005-31.2

Section 2.2.1 discusses this topic. Section 4.2 and Appendix C contain additional and revised information on public safety.

5 So just some comments. I have some other little
6 comments about specific data being included. For
7 instance -- thank you -- as far as the gas, itself, I think
8 it would be appropriate to be in the Environmental Impact
9 Report about what the specific content is, and the quality
10 of it, and so on. Methane, ethane, butane, propane, and so
11 on. Do these have any impact, if there is any leakage?
12 They may not, I don't know. What other gases are there?

T005-31.2

T005-31.3

Sections 2.2.1 and 2.4.1 discuss natural gas quality monitoring. Section 4.6.2 cites regulatory requirements for natural gas use in California.

13 And one way to do this would be to ask the
14 Southern California Gas Company to provide a copy of their
15 regulations that are to be met by this. They could be a
16 part of an appendix, or something, in the report.

T005-31.3

17 I'd also like to say thank you to Mr. Prescott,
18 and Mr. Ferris, and Mr. Coggins -- Cy Oggins, for taking
19 time with me to explain why it is that it's going to be
20 exceedingly difficult to have the requested 60-day extension
21 of time. But thank you very much for trying to -- for
22 explaining your position.

23 (Applause.)

24 MODERATOR MICHAELSON: The next speaker is Ed
25 Ellis.

1 MR. ELLIS: Good evening. My name is Ed Ellis and
2 I've lived in Oxnard for about 45, 50 years, something like
3 that.

4 Anyway, I want to make a comment. Many gentlemen
5 have spoken about how safe it was to transport LNG, you
6 know, from Indonesia or wherever they went. Well, our worry
7 is not about safe transport but, rather, the danger in the
8 event of an accident to the FSRU or the LNG vessel.

9 I'm also concerned about the people being
10 inundated with lies and half-truths by BHP Billiton's
11 flooding the area with brochures that state this FSRU is
12 safe. This system has never been tried anywhere in the
13 world, so how can they say it's safe.

14 If this company is starting out with half-truths,
15 what will it be like if given the go-ahead with this
16 project?

17 The EIS and EIR has used outdated computer models
18 to state that in the event of an LNG spill, it would be
19 safe. The only study done, I think, was around the 1970s,
20 on this subject, and it involved 10,000 gallons of LNG. An
21 LNG vessel carries 33 million gallons of LNG, not counting
22 the FSRU.

23 I'm quite certain that since 1977 computer
24 technology has advanced far enough so that it would be
25 fairly easy for scientists to determine what damage would

COMMENTER
T005-32

T005-32.1

T005-32.2

T005-32.3

T005-32.1

Section 4.2.7.6 and the Independent Risk Assessment (Appendix C1) contain information on public safety impacts from various incidents at the FSRU. The analysis indicates that the maximum impact distance of an accident would involve a vapor cloud dispersion extending 6.3 nautical miles (7.3 miles) from the FSRU. The FSRU would be located approximately 12.01 nautical miles (13.83 miles) offshore; therefore, consequences of an accident involving LNG transport by carrier and storage on the FSRU would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline. Figure ES-1 depicts the consequence distances surrounding the FSRU location for worst credible events.

T005-32.2

Sections 2.1 and 4.2.7.3 contain information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU and LNG carriers.

T005-32.3

Section 4.2.3, the Independent Risk Assessment (Appendix C1), and the U.S. Department of Energy's Sandia National Laboratories' review of the Independent Risk Assessment (Appendix C2) contain revised information on the 1977 Oxnard study.

1 really be done with 33 million gallons of LNG.

2 Thank you.

3 (Applause.)

4 MODERATOR MICHAELSON: The next speaker is Marie

5 Ellis.

6 MS. ELLIS: Good evening. My name is Marie Ellis

7 and I live in South Oxnard, and I will be very brief.

8 What I have to say is I believe it's dangerous,

9 that from everything I've heard and from everything I've

10 read, and why are they trying to tell us that it's not? And

11 why are they not looking for other sources of energy? Why

12 do they keep sticking just with this one? There must be

13 something else.

14 Thank you.

15 (Applause.)

16 MODERATOR MICHAELSON: Thank you.

17 I need to read ahead for the next speakers. The

18 next speakers are Susan Jordan, I believe this is Luis

19 Montoya, Alicia Finigan. I can't read this one, but you

20 probably know who you are, because they're all in order,

21 John Buse, and I'm not sure, Linda Krop, and Manuel Herrera.

22 MS. JORDAN: Good evening. My name is Susan

23 Jordan, and I'm the Director of the California Coastal

24 Protection Network.

25 While the legal intent of these hearings is to

T005-32.3
(cont'd)

COMMENTER
T005-33

T005-33.1

T005-33.2

COMMENTER
T005-34

T005-33.1

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-33.2

Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

1 provide comment and critique on the draft EIS/EIR, prepared
2 by the U.S Coast Guard, MARAD, and the State Lands
3 Commission, I feel it is essential to provide testimony not
4 just on the critical deficiencies within the document, but
5 to provide an overview of a deeply flawed process that has
6 allowed this proposal to come this far, this fast.

7 The drive to bring LNG to California, and to the
8 United States, as a whole, is being driven by the LNG
9 companies, many of whom are also the oil companies, who see
10 their next product line on the horizon.

11 But what has happened here, and is happening in
12 numerous small communities across coastal America, is that
13 the LNG cart has been placed in front of the public interest
14 horse.

15 Despite heavy company-funded PR efforts that
16 attempt to scare the public into believing the sky will fall
17 if we do not commit ourselves to large scale LNG projects in
18 the near term, the question of how dire any shortage will be
19 prior to 2020 is still a matter of considerable debate.

20 Even the Department of Energy and the National
21 Petroleum Council predict slight growth by 2020, not the
22 massive decline predicted by at least one LNG oil company.

23 And if there is not a massive decline in
24 production, it is conceivable that we, in California, could
25 bridge the gap with aggressive conservation and renewables,

T005-34.1

Sections 1.2.2 and 1.2.3 contain updated information on natural gas needs in the U.S. and California. Forecast information has been obtained from the U.S. Department of Energy's Energy Information Agency and from the California Energy Commission.

T005-34.2

Sections 1.2.2, 1.2.3, 1.2.4, 3.3.1, 3.3.2, and 4.10.1.3 contain information on the need for natural gas, the role and status of energy conservation and renewable energy sources, and the California Energy Action Plan.

T005-34.1

T005-34.2